



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **MP-5**

January 23, 2007

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION TO VACATE A PORTION OF  
ROSEBERRY AVENUE, A PORTION OF ALLEY EAST OF  
COTTAGE STREET, AND ALLEY EAST OF ALAMEDA STREET  
WALNUT PARK - FUTURE PUBLIC HEARING  
SUPERVISORIAL DISTRICT 1  
3 VOTES**

**AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the enclosed Resolution to Conditionally Vacate with Reservations a portion of Roseberry Avenue, a portion of Alley east of Cottage Street, and Alley east of Alameda Street (hereinafter collectively referred to as the Easements) in the unincorporated County area known as Walnut Park, pursuant to Section 8324 of the California Streets & Highways Code, after finding that:
  - a. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Sections 15304, 15305, and 15321 of Title 14 of the California Code of Regulations (the State CEQA Guidelines).
  - b. The Easements are no longer needed for present or prospective public use and are not useful as nonmotorized transportation facilities.

2. Upon approval, authorize Public Works to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Primestor Development, Inc. (PDI), on behalf of Florence Alameda Associates, LLC, one of the underlying fee owners, requested this vacation to remove from the record County interest and public easement rights within the proposed vacation areas. PDI proposes to merge the vacated areas with the adjoining properties as part of the La Alameda shopping center redevelopment project at the corner of Florence Avenue and Alameda Street. Vacation and abandonment of the rights of way provide additional buildable area to the proposed shopping center.

It is in the County's best interest to vacate the rights of way since they no longer serve the purpose for which they were dedicated, and they are not required for general public access, circulation, or as nonmotorized transportation facilities.

### **Implementation of Strategic Plan Goals**

This action meets with the County Strategic Plan Goal of Service Excellence. By vacating and allowing the street and alleys to merge with the adjoining properties, the development will help improve the quality of life of the residents in the immediate area. This action is also consistent with the County's Strategic Plan Goal of Fiscal Responsibility as the vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's possible exposure to liability.

### **FISCAL IMPACT/FINANCING**

Vacation of the Easements will not have any negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expenses of investigation, mailings, publications, and posting. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (d) of the California Streets & Highways Code.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

A Resolution to Conditionally Vacate with Reservations the subject Easements was adopted by your Board on December 6, 2005 (Item No. 59). The vacation became null and void, as the conditions were not completed within the allotted time.

The areas to be vacated contain approximately 57,354 square feet and are shown on the map attached to the Resolution. The road rights of way to be dedicated to the County have an area of approximately 7,422 square feet.

The County's interest was acquired by dedication in Deeds recorded on April 17, 1936, as Document No. 1186, in Book 14105, page 99; as Document No. 1187, in Book 14031, page 304; as Document No. 1188, in Book 14024, page 332; as Document No. 1189, in Book 14114, page 61; as Document No. 1190, in Book 14084, page 142; as Document No. 1191, in Book 14072, page 208; May 20, 1988, as Document No. 88-810504; July 26, 1982, as Document No. 82-749355, and by maps of Tract No. 30326, filed on August 9, 1972, in Book 819, page 41, of Maps; Geo J. Nadeau Tract, recorded in Book 7, page 73 of Maps; Rem Nadeau Tract, recorded in Book 6, page 71, of Maps; Rem Nadeau Tract No. 2, recorded in Book 8, page 19, of Maps and Walter A. Nadeau Tract, recorded in Book 10, page 188, of Maps, all on file in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as easements for alley or street and highway purposes.

The proposed vacation will be subject to the following conditions, should your Board adopt our recommendations:

1. That Florence Alameda Associates, LLC (FAA) dedicates sufficient right of way to construct to the satisfaction of Public Works the following:
  - a. A curb return at the southwest corner of Florence Avenue and Roseberry Avenue.
  - b. A knuckle at the intersection of Roseberry Avenue with Walter Street.
  - c. A cul-de-sac at the southerly terminus of Roseberry Avenue.
2. That FAA dedicates 13 feet of road right of way on the west side of Roseberry Avenue (38 feet from centerline), from Florence Avenue to 335 feet south of Florence Avenue.
3. That FAA dedicates 3 feet of road right of way on the west side of Roseberry Avenue (28 feet from centerline), from 335 feet south of Florence Avenue to 685 feet south of Florence Avenue.

4. That FAA dedicates the right to restrict vehicular access along the south side of Florence Avenue west of Roseberry Avenue.

Adoption of the enclosed Resolution and the subsequent recordation, when all conditions have been satisfied, will terminate the County's rights and interest in the Easements. Your action will also result in the properties being unencumbered of the Easements, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated area.

#### **ENVIRONMENTAL DOCUMENTATION**

Based on the foregoing, this proposed vacation is categorically exempt from CEQA as specified in Sections 15304, 15305, and 15321 of the State CEQA Guidelines.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The Fire Department has determined that the proposed vacation will not affect their ability to respond to fire and medical emergencies and that no fire protection facilities will be affected by the proposed vacation. The Regional Planning Commission has determined that the proposed vacation is not in conflict with the County-adopted General Plan. The Departments of Parks and Recreation and Regional Planning have determined that the vacation areas are not suitable for bicycle paths and trails. Existing easement rights for utility facilities will be reserved to Southern California Edison Company, Southern California Gas Company, Southern California Water Company, Comcast, and Pacific Bell Telephone Company (dba AT&T California), as well as an easement for sanitary sewer purposes to the County of Los Angeles, and for storm drain and ingress and egress purposes to the Los Angeles County Flood Control District.

#### **CONCLUSION**

This action is in the County's best interest. Enclosed is a Resolution to Conditionally Vacate with Reservations, approved as to form by County Counsel, vacating the Easements. Upon adoption of the Resolution, please return one executed original to Public Works, together with two conformed copies and a copy of the Board's minute order, for further processing. Upon applicant's compliance with the above-mentioned conditions, we will record the Resolution to Conditionally Vacate with Reservations and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

The Honorable Board of Supervisors  
January 23, 2007  
Page 5

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

JLS:mr  
P5\blm0588116

Enc.

cc: Chief Administrative Office  
County Counsel

**RESOLUTION TO CONDITIONALLY VACATE WITH RESERVATIONS  
A PORTION OF ROSEBERRY AVENUE, A PORTION OF ALLEY EAST OF  
COTTAGE STREET, AND ALLEY EAST OF ALAMEDA STREET**

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, has hereby found and determined that a portion of Roseberry Avenue, a portion of Alley east of Cottage Street, and Alley east of Alameda Street in the vicinity of Walnut Park in the County of Los Angeles, State of California, legally described in Exhibit A and shown by map in Exhibit B, both attached to said Resolution, be conditionally vacated; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; and

WHEREAS, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation \_\_\_\_\_, 20\_\_\_\_; and

WHEREAS, said Board of Supervisors has found and determined that the areas to be vacated are no longer necessary for present or prospective public use based upon the fact that the subject rights of way are not required for general public access or circulation and are not useful as nonmotorized transportation facilities; and

WHEREAS, the vacation is conditioned upon the Florence Alameda Associates, LLC (FAA) complying with the following:

1. That FAA dedicates sufficient right of way to construct to the satisfaction of Public Works the following:
  - b. A curb return at the southwest corner of Florence Avenue with Roseberry Avenue.
  - c. A knuckle at the intersection of Roseberry Avenue with Walter Street.
  - d. A cul-de-sac at the southerly terminus of Roseberry Avenue.
2. That FAA dedicates 13 feet of road right of way on the west side of Roseberry Avenue (38 feet from center line), from Florence Avenue to 335 feet south of Florence Avenue.
3. That FAA dedicates 3 feet of road right of way on the west side of Roseberry Avenue (28 feet from center line), from 335 feet south of Florence Avenue to 685 feet south of Florence Avenue.

4. That FAA dedicates the right to restrict vehicular access along the south side of Florence Avenue west of Roseberry Avenue.

The above conditions must be successfully met to the satisfaction of Public Works within one year of the date this Resolution is adopted by the Board of Supervisors or the vacation will terminate and become null and void.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced rights of way are hereby conditionally vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by Southern California Edison Company, Southern California Gas Company, Southern California Water Company, Comcast, and Pacific Bell Telephone Company (dba AT&T California), easement for sanitary sewer purposes to the County of Los Angeles, and for storm drain and ingress and egress purposes to the Los Angeles County Flood Control District, as set forth in Section 8340 and 8341 of said Streets and Highways Code.

AND BE IT FURTHER RESOLVED that upon the satisfaction of the above conditions, Public Works be authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk, at which time the areas vacated shall no longer constitute public easements.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

JLS:mr  
P5\BLM0588116

**RESOLUTION TO CONDITIONALLY VACATE WITH RESERVATIONS  
A PORTION OF ROSEBERRY AVENUE, A PORTION OF ALLEY EAST OF  
COTTAGE STREET, AND ALLEY EAST OF ALAMEDA STREET**

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, has hereby found and determined that a portion of Roseberry Avenue, a portion of Alley east of Cottage Street, and Alley east of Alameda Street in the vicinity of Walnut Park in the County of Los Angeles, State of California, legally described in Exhibit A and shown by map in Exhibit B, both attached to said Resolution, be conditionally vacated; pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; and

WHEREAS, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation \_\_\_\_\_, 20\_\_\_\_; and

WHEREAS, said Board of Supervisors has found and determined that the areas to be vacated are no longer necessary for present or prospective public use based upon the fact that the subject rights of way are not required for general public access or circulation and are not useful as nonmotorized transportation facilities; and

WHEREAS, the vacation is conditioned upon the Florence Alameda Associates, LLC (FAA) complying with the following:

1. That FAA dedicates sufficient right of way to construct to the satisfaction of Public Works the following:
  - b. A curb return at the southwest corner of Florence Avenue with Roseberry Avenue.
  - c. A knuckle at the intersection of Roseberry Avenue with Walter Street.
  - d. A cul-de-sac at the southerly terminus of Roseberry Avenue.
2. That FAA dedicates 13 feet of road right of way on the west side of Roseberry Avenue (38 feet from center line), from Florence Avenue to 335 feet south of Florence Avenue.
3. That FAA dedicates 3 feet of road right of way on the west side of Roseberry Avenue (28 feet from center line), from 335 feet south of Florence Avenue to 685 feet south of Florence Avenue.



4. That FAA dedicates the right to restrict vehicular access along the south side of Florence Avenue west of Roseberry Avenue.

The above conditions must be successfully met to the satisfaction of Public Works within one year of the date this Resolution is adopted by the Board of Supervisors or the vacation will terminate and become null and void.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced rights of way are hereby conditionally vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by Southern California Edison Company, Southern California Gas Company, Southern California Water Company, Comcast, and Pacific Bell Telephone Company (dba AT&T California), easement for sanitary sewer purposes to the County of Los Angeles, and for storm drain and ingress and egress purposes to the Los Angeles County Flood Control District, as set forth in Section 8340 and 8341 of said Streets and Highways Code.

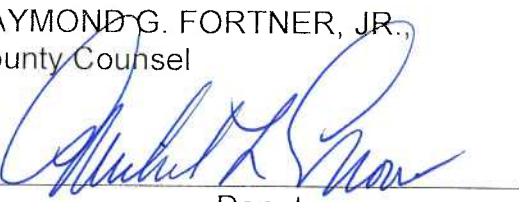
AND BE IT FURTHER RESOLVED that upon the satisfaction of the above conditions, Public Works be authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk, at which time the areas vacated shall no longer constitute public easements.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,  
County Counsel

By



Deputy

SACHI A. HAMAI

Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By

\_\_\_\_\_

Deputy

JLS:mr

P5\BLM0588116

## EXHIBIT A

ROSEBERRY AVENUE, ALLEY  
EAST OF COTTAGE STREET AND  
ALLEY EAST OF ALAMEDA STREET

A.M.B. 6025-026,030 and 034

T.G. 674-H7 & 704-H1

I.M. 099-217

S.D. 1

M0588116

### Legal Description (Vacation of Easements)

#### PARCEL 1:(ROSEBERRY AVENUE)

##### Part A:

That portion of ROSEBERRY AVENUE, 50 feet wide, as shown on map of WALTER A. NADEAU TRACT, recorded in Book 10, page 188, of Maps, and that portion of ROSEBERRY AVENUE, 5 feet wide and variable width, described as Part (d) and Part (f) in Road Deed to the County of Los Angeles for public road and highway purposes, recorded on May 20, 1988, as Document No. 88-810504, of Official Records, in the office of the Registrar-Recorder/County Clerk of said county, lying northerly of the following described line:

Beginning at a point on the southerly line of Lot 50 of said tract, said point being 5.00 feet westerly from the southeasterly corner of said Lot 50, measured along said southerly line; thence parallel with easterly line of said Lot 50, North 00°36'00" West 77.38 feet; thence North 13°26'00" West 28.37 feet to the beginning of a tangent curve concave to the southeast and having a radius of 68.00 feet; thence northeasterly along said curve through a central angle of 106°06'06", an arc distance of 125.92 feet to its intersection with the easterly line of that certain land described as Part (f) in said Road Deed to said county.

##### Part B:

That portion of ROSEBERRY AVENUE, 50 feet wide, as dedicated in Deeds recorded on April 17, 1936, as Document No. 1186, in Book 14105, page 99; as Document No. 1187, in Book 14031, page 304; as Document No. 1188, in Book 14024, page 332; as Document No. 1189, in Book 14114, page 61; as Document No. 1190, in Book 14084, page 142; as Document No. 1191, in Book 14072, page 208; and July 26, 1982, as Document No. 82-749355 and as shown on map of GEO J. NADEAU TRACT, recorded in Book 7, page 73, of Maps, in the office of said Registrar-Recorder/County Clerk, lying northerly of the easterly prolongation of the northerly line of Lot 57, of said WALTER A. NADEAU TRACT.

EXCEPTING therefrom that portion of said Roseberry Avenue lying northerly of the following described line;

Commencing at northeasterly corner of Lot 3 of the REM NADEAU TRACT NO. 2, as shown on map recorded in Book 8, page 19, of Maps, in the office of said Registrar-Recorder/County Clerk; thence westerly along the northerly line of said lot 3, South 89°43'51" West 42.83 feet to the TRUE POINT BEGINNING, said point being the beginning of a curve, concave to the southwest having a radius of 30.00 feet, a radial line of said curve to said point bears North 00°16'09" West; thence southeasterly along said curve through a central angle of 89°40'09" an arc distance of 46.30 feet to a line parallel with and 38.00 feet westerly, measured at the right angles from the center line of Roseberry Avenue, 50 feet wide, as shown on said tract; thence southerly along said parallel line, South 00°36'00" East, 255.17 feet to the southerly line of Lot 6, of said REM NADEAU TRACT NO. 2; thence easterly along said southerly line, South 89°43'51" West, 10.00 feet to a line parallel with and 28 feet westerly, measured at right angles from said center line of Roseberry Avenue; thence southerly along said last mentioned parallel line, South 00°36'00" East 349.45 feet to the beginning of a tangent curve concave to the west and having a radius of 92.00 feet; thence southerly along said last mentioned curve through a central angle of 26°59'44" an arc distance of 43.35 feet; thence South 26°23'44" West 32.20 feet to the beginning of a tangent curve concave to the north and having a radius of 40.00 feet; thence easterly along said last mentioned curve through a central angle of 176°17'05" an arc distance of 123.07 feet; thence non-tangent to said last mentioned curve, North 89°32'28" East 7.61 feet to the easterly line of said Roseberry Avenue.

PARCEL 2: (ALLEY)

Part A:

That portion of that certain ALLEY, 15 feet wide, as shown on map of REM NADEAU TRACT, recorded in Book 6, page 71, of Maps, in the office of said Registrar-Recorder/County Clerk, lying southerly of and adjoining Lots 26 and 27, of said tract.

Part B:

That portion of that certain ALLEY, 15 feet wide, as shown on map of REM NADEAU TRACT NO. 2, recorded in Book 8, page 19, of Maps, in the office of said Registrar-Recorder/County Clerk, lying southerly of and adjoining Lots 1, 2, and 3, of said tract.

EXCEPTING therefrom the easterly 13 feet.

Part C:

That portion of that certain ALLEY, 5 feet wide, as shown on map of Tract No. 30326, filed in Book 819, pages 41 and 42, of Maps, in the office of said Registrar-Recorder/County Clerk, lying easterly of the southerly prolongation of the westerly side line of Lot 26, of said REM NADEAU TRACT.  
EXCEPTING therefrom the easterly 13 feet.

Part D:

That portion of that certain ALLEY, 7.5 feet wide, described in Road Deed to said county for public road and highway purposes, recorded on July 26, 1982, as Document No. 82-749355, of Official Records, in the office of said Registrar-Recorder/County Clerk.

PARCEL 3: (ALLEY)

That portion of that certain ALLEY, 12 feet wide, as shown on map of said WALTER A. NADEAU TRACT, lying northerly of and adjoining Lots 28 and 29, of said tract

EXCEPTING therefrom the easterly 5 feet.

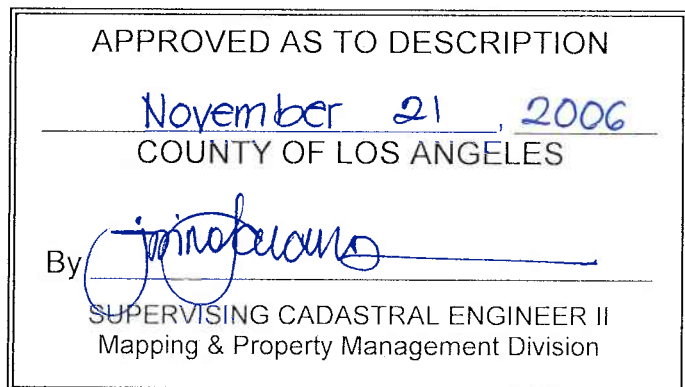
RESERVING to the Los Angeles County Flood Control District an easement for covered storm drain, appurtenant structures and ingress and egress purposes in, on, over, and across the above-described portion of Roseberry Avenue and portion of Alley east of Cottage Street herein being vacated.

Also RESERVING to the Los Angeles County, an easement for sanitary sewer purposes in, on, over, and across the above-described portion of Roseberry Avenue and portion of Alley east of Cottage Street herein being vacated.

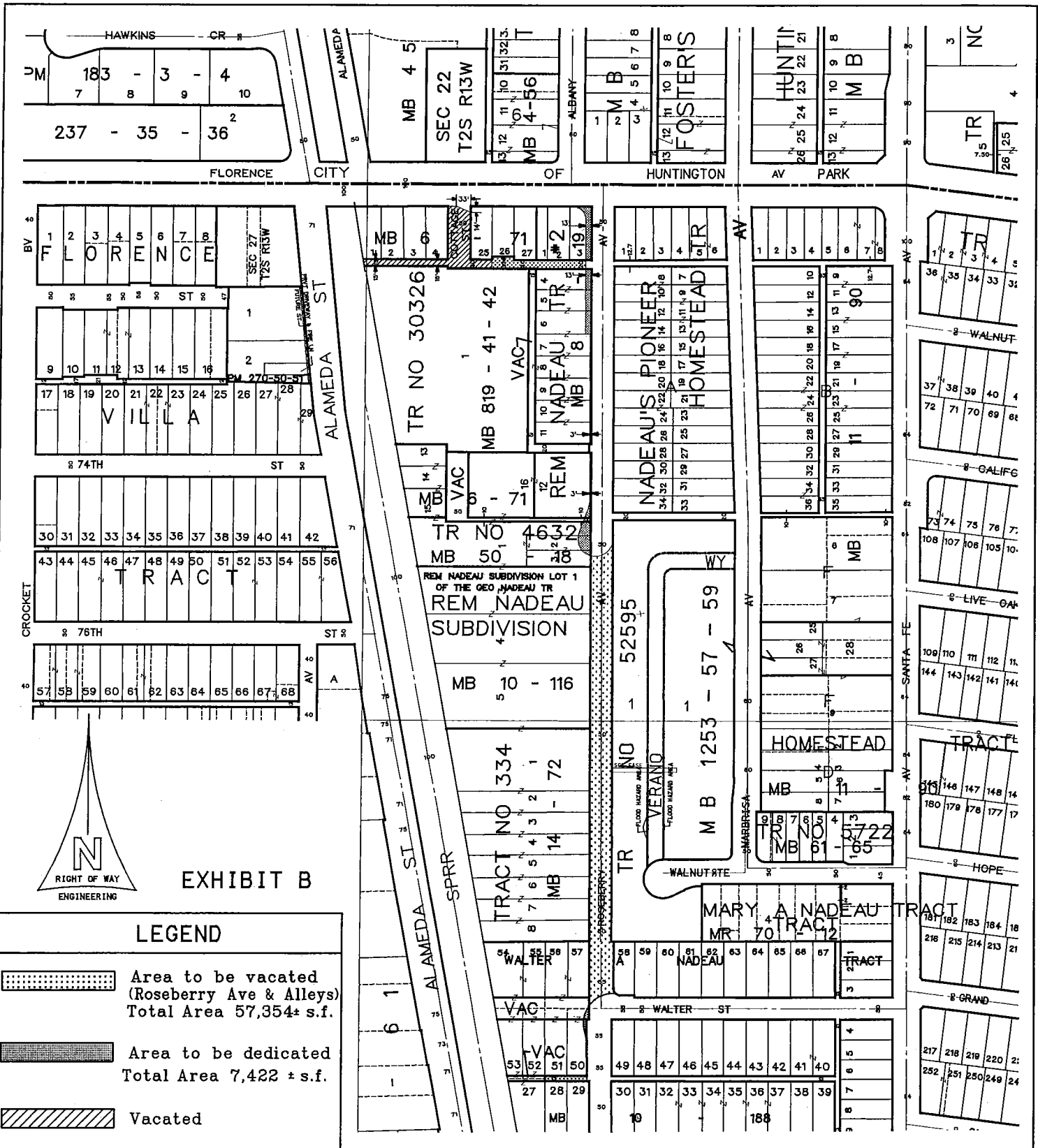
Also RESERVING easements and rights for utility facilities owned by Southern California Edison Company, Southern California Gas Company, Southern California Water Company, Comcast, and Pacific Bell Telephone Company (dba AT&T California) in, on, and across the above-described portion of Roseberry Avenue and portion of Alley east of Cottage Street herein being vacated.

The reservations herein being made are done in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code, State of California.

Total Area: 57,354square feet



This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.



REVISIONS				1. 11/15/06	2.	3.
DEPARTMENT OF PUBLIC WORKS				MAPPING & PROPERTY MANAGEMENT DIVISION		
SD. 1	RD. 141	A.M.B. 6025-026,30 & 34	T.G. 704-H1 674-H7	ROSEBERRY AVE, & ALLEY E/O ALAMEDA ST		DRAWING NO. M0588116
SCALE NONE		DATE 10-20-05	I.M. 099-217			